

MEETING #21 – May 8

At a Regular Meeting (#1) of the Madison County Board of Supervisors on May 8, 2018 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman
Jonathon Weakley, Vice-Chairman
Kevin McGhee, Member
Charlotte Hoffman, Member
Amber Foster, Member
Jack Hobbs, County Administrator
Mary Jane Costello, Asst. County Administrator/Finance Director
Frank Thomas, Interim County Attorney
Jacqueline S. Frye, Deputy Clerk

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson advised that all members are present; a quorum was established.

Chairman Jackson called for any additions to today's Agenda.

Supervisor Weakley moved that the Agenda be adopted as presented, seconded by Supervisor Foster. **Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).**

2. Public Comment:

Chairman Jackson opened the floor for public comment. The following individual(s) provided public comment:

The following individual(s) provided public comment:

- Jacque Sue Graves: Comments pertained to a current lawsuit involving Leathers Lane (Syria Mountain Estates) and a regarding the road within the subdivision; advised that (in her opinion) two property owners (Mr. Lain & Mr. Kerby) didn't put gravel down when they built their homes to protect their property which resulted in some damage; noted that Mr. Whidby (property owner) has consistently worked within the community to maintain the gravel roadway; the community isn't asking the County to fix the roadway; concerns stem from the fact that three property owners have had the roadway surveyed with the intent to cut into other properties, and remove existing landscaping, which the majority of the community isn't in favor of taking place; feels that logging will be done (by Mr. Kerby); requested that the property owners be notified before anything is done to the existing road, be allowed to review the survey, and also be advised of any proposals that involve the roadway; also noted an issue in which a resident (Mr. Lain) has convinced individuals (i.e. legal counsel and law enforcement) that he has the authority (from the community) to move forward with a survey of the road in question

- Darryl Whidby: Provided a video of the current road, landscaping, and areas that he has repaired in order to eliminate poor drainage and water build-up; noted that majority of the property owners aren't in favor of anything being done to the existing roadway

Comments from the Board

- *Supervisor McGhee Questioned the definition of 'ownership'*

Frank Thomas, Interim County Attorney, was present and advised that at this time, he represents Ms. Graves in the litigation matter. It has been agreed that Sean Gregg, Attorney (Interim County Attorney that provides assistance during all Joint Meeting sessions) be asked to provide legal advice on this particular matter. In closing, he noted that the plat in question dedicated the current road to the public and that the plat was accepted by the County. Additionally, as a result of the aforementioned action, the County is the 'owner' of the roadway that currently exists within the Syria Mountain Estates subdivision.

- *Supervisor Weakley: Questioned if the County could elect to give the road 'back' to the property owners (which is the case when a road is abandoned); also verbalized favor of property rights*
- *Chairman Jackson: Noted that abandoned roads (like Shotwell Hollow) were a part of the state roadway system; however, the road to the Syria Mountain Subdivision has never been a 'state maintained' road, and wouldn't be treated as an abandoned roadway; giving the road to the landowners will impose some cost to the County (i.e. boundary adjustment, survey, new markers, etc.); verbalized disfavor of utilizing any County funding for the road being discussed at this point; noted that there is a remedy (i.e. legal counsel) for anyone to come onto private property to do anything without permission from the owner(s)*

In closing, Chairman Jackson advised that the Madison County Board of Supervisors and legal counsel are well aware of today's concerns and have been briefed several times. Today's issue is being closely monitored

With no comments being brought forth, the public comment opportunity was closed.

3. Constitutional Officers

Commonwealth Attorney

Clarissa Berry, Commonwealth Attorney, announced that a suit has now been filed against Dan Warren of Warren's Service Retrievers.

4. County Departments

Blue Ridge Committee

Bruce Bowman, County representative, was present and advised that nothing significant has been found during the improvements at the Old Rag parking lot; noted that a meeting of the Blue Ridge Committee is scheduled for Thursday (Supervisor Weakley and County Administrator Hobbs will be attending). The Board was asked to pass on any concerns to be relayed to the National Park Service.

Comments

- *Supervisor McGhee: Referred to the slight increase to the park admission fees*

5. Reports from Committees and Organizations

a. Foothills Housing Corporation: John Reid, Executive Director, was present and thanked the County for its continued support of FHC, Inc. Information was provided on the proposed home repair loan program to be initiated for Madison County that will provide assistance for distressed properties. The initiative will provide \$20,000.00 to be spent in the County for 'zero' interest loans for folks with 80% or less of median income, and is being provided through County support and a grant through the Department of Health & Development. Repairs covered by the program include:

- ✚ Water heaters
- ✚ Wells
- ✚ Drain fields
- ✚ Roofs
- ✚ Electrical
- ✚ Plumbing
- ✚ Access ramps
- ✚ Grab bars/rails
- ✚ Other disability and safety related repairs

In order to qualify for the program, one must:

- ✚ Be a homeowner residing in Madison County
- ✚ Homeowner must be unable to attain a loan through other sources
- ✚ Homeowner must have sufficient household income to pay:
 - a. *Current house payments*
 - b. *Taxes*
 - c. *Insurance*
 - d. *Living expenses*
 - e. *Repayment on repair loan given*

Loan details:

- ✓ The rehabilitation work will be completed using 0% interest loan between the homeowner and FHC
- ✓ FHC will use the homeowner's income and expenses to calculate their ability to repay the loan on a monthly basis
- ✓ There are no fees/charges for setting up or maintaining the loan
- ✓ There are limited funds available and applications will be reviewed and approved on a 'first come-first serve' basis until funding is depleted

It was further advised that Cindy Reid will distribute this information to the local DSS Office and other locations within the County/Town in order to reach out to folks that may need assistance. In closing, the Board was encouraged to refer anyone that may need assistance to please contact the FHC at the number listed in today's flyer.

- *Chairman Jackson: Referred to a dwelling on Fairground Road (that has a blue tarp on the roof) [this information will be passed along to Ms. Reid]*

Skyline CAP

Jerry Butler, Skyline CAP representative, was present and advised that a new Executive Director has been brought on board and is doing well; three (3) new members will be added to the Skyline CAP Board shortly; also noted that finances, the Discovery Program, and the Head Start Program are looking good; also noted that a Board member from Orange will be assisting with the possible initiation of a Healthy Families Program in here (in conjunction with the Orange County program).

6. Finance

a. Claims

\$ 54,349.88 (5'2'18)

\$ 73,794.84 (5'8'18)

\$128,144.72(Total)

Highlights:

- \$25,000.00 (Used vehicle purchase)
- \$51,900.00 (Southern Software [60% on software costs for CAD System /\$54,000.00-\$55,000.00 still owed and will be paid with grant funding])

Questions on expenditures for:

- JZ Signs (road signs)
- Verizon bills (County has several Verizon phones [consolidation efforts are being researched])

Supervisor McGhee moved that the Board approve Claims for May 2018 totaling \$128,144.72, seconded by Supervisor Foster.

Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

b. Supplemental Appropriation Requests

i. Commonwealth Attorney Reimbursement Supplement (FY2018 Supplemental Appropriation #34_05082018 totaling \$1,268.64) [Reimbursement from the State for costs to attend a Commonwealth's Attorney Spring institute]

Supervisor McGhee moved that the Board approve Supplemental Appropriation request #34_05082018 in the amount of \$1,268.64 as presented, seconded by Supervisor Weakley. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

c. Quarterly Budget Performance Review: The Finance Director provided a quarterly budget performance review document. Highlights focused on the following:

1. All Appropriated Funds

- CSA (52.86%)
- TOT (35.06%)
- Percentage of the budget expended thus far: 76.36% (prorate - 83%)

2. General Fund Synopsis

- General Fund Transfers: 75%

3. General Fund Transfers

School CIP: School System has an additional request (\$110,000.00) [allocation for window replacement project] - (53:63%)

4. Summary of GF YTD Supplemental Appropriations Approved by BOS

- FY17 Encumbrances
- \$611,863.03 (Use of Fund Balance is \$506,683.21 - Revenue Offset is \$105,179.82)

5. Analysis of Contingency

Original budget in contingency: \$397,500.00

Increase in contingency: \$269,962.19 (transfer from CSA and debt service)

*Uses of contingency

○ VW adj.	53.08
○ FYT17 RJDC true up	(41,367.69)
○ Temp bldg. off svcs	(9,770.00)
○ County Admin adj	(9,048.33)
○ ANS costs	(17,596.00)
○ Animal Control veh	(29,868.40)
○ Bldg Official veh	(21,900.00)
○ Sheriff's vehicles	(191,461.52)
○ Comp study	(45,000.00)
○ Elec req system	(15,000.00)
○ New hire EMS	(11,281.82)

Minus aforementioned items leaves a balance (as of 5/8/18) of \$275,211.51 (64.83%)

6. Items of Interest

- ❖ Dept. 2180 (Court Security)
- ❖ Part-time deputy has already exceeded budget for the year (transfer from Sheriff's department was required during the past year)
- ❖ Dept. 3340 (Regional Jail)
- ❖ Currently have \$63,000.00 left in budget for rest of the year to cover any additional inmate medical costs and reserve true-ups
- ❖ Dept. 33300 (Juvenile Probation)
- ❖ Crime prevention grant is only 54% expended
- ❖ FY19 Budget adjs. moved to FY18 that remain unspent:

○ Animal control vehicle	29,868.40
○ Bldg. Official vehicle	21,900.00
○ Comp study	45,000.00
○ Elec req. system	<u>15,000.00</u>
	\$111,768.40 (need to add \$177,499.00 for Sheriff's vehicles)

**Overall expect General Fund (fund 10 only) expenditures to be \$500,000.00-\$800,000.00 favorable to budget at year-end*

**County has been positive on revenues over the past several years*

**CSA doesn't close their books until September (It's anticipated that additional bills may come forth shortly)*

**Policy for Medicaid reimbursement has been revamped (by the State) - cut-off date is now in June and are made on a 'cash' basis*

The members were encouraged to review today's budget analysis document.

7. Minutes: April 24 and May 2, 2018 Meetings

Chairman Jackson called for corrections or adoption of Minutes for April 24 and May 4, 2018.

April 24, 2018 (Minutes #19)

Supervisor Foster moved that Minutes from April 24, 2018 (#19) be approved as submitted, seconded by Supervisor Hoffman.

Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

May 2, 2018 (Minutes #20)

Supervisor McGhee moved that Minutes from May 2, 2018 (#20) be approved as submitted, seconded by Supervisor Hoffman.

Aye: Jackson, Weakley, McGhee, Foster. Abstain: Hoffman. Nay: (0).

8. Old Business:

a. Criglersville School Advisory Committee: The County Administrator advised that five (5) applications have been received and may need to be discussed during today's closed session. The Board was also asked to provide any concerns about the proposed charter and the fact that the work would be completed by the end of September 2018.

Comments:

- *Supervisor Weakley: Suggested that the proposed membership be provided access to input from Crabtree Rohrbaugh Associates.*

After discussion, it was the consensus of the Board to enact the committee through October 30, 2018.

The County Administrator suggested the Board refrain from taking action on the proposed charter until the committee is actually appointed.

b. Appointments to Piedmont Workforce Network: Supervisor Foster advised that the Piedmont Workforce Network has clarified that the County will need to fill one (1) slot, preferably with an incumbent from the business community. In closing, she advised that she's awaiting a response from a proposed citizen that may be willing to serve; further input will be provided to the Board shortly.

9. New Business:

a. County Vehicle Use & Driver Policy: The County Administrator provided a draft document of a County vehicle use and drive policy, which came forth due to there being no policy to allow volunteers to utilize County vehicles (in light of the vehicle purchase for the shelter), or for the allowance of County employees to utilize County vehicles. The draft policy has also been reviewed by the Interim County Attorney. In closing, the Board was encouraged to review the draft policy and to provide comments if desired.

In closing, it was the consensus of the Board to provide comments for review and consideration.

b. Sale of Timber from Shelly Road Property: The County Administrator advised that contact has been made with Paul Haney (under the suggestion of Supervisor Hoffman) who was involved with the last timber sale in Madison County. The standard procedure will call for the hire of a consultant who will:

- ✚ Work with the Department of Forestry
- ✚ Attain permits
- ✚ Follow all regulations
- ✚ Prepare the bid package and solicit the bids (on the County's behalf)
- ✚ Bids will need to be reviewed by the County for acceptance
- ✚ A portion of the proceeds will be received by the County

In closing, it was noted that a proposal has been made, which the Board was encouraged to accept, with the understanding that any approved contract will need to be reviewed, as well as accepted by the Interim County Attorney.

The Interim County Attorney suggested that a more detailed agreement be presented to the Board for review, and that there will also need to be management of the bid and cutting of the timber, and an assurance that the work will be done appropriately.

Comments

- *Supervisor Weakley: Questioned if a former document could be researched*
- *Chairman Jackson: Verbalized favor of having a more detailed and concise document in place*

Erik Weaver, Sheriff, was present and verbalized concerns that a select cut be initiated in order to avoid any issues at the shooting range (i.e. buffer is needed to downplay the noise).

The Interim County Attorney suggested that the Board advise the consultant of 'only what needs to be cut, and that the only thing cut is what's marked for disposal. In closing, he suggested that the proposed consultant be asked to provide some long-term recommendations (to refrain the loss of sustainable pine trees that may be in place).

After discussion, it was the consensus of the Board to request a more detailed contract agreement be provided for review and discussion, and also include a long-range plan.

c. Proclamation - Older Americans Month (May 2018): The Deputy Clerk advised that a representative from Aging Together has asked the County to approve the Proclamation to declare May 2018 as Older Americans Month. These types of requests have been approved by the County in the past.

Chairman Jackson read the Proclamation for the record:

P R O C L A M A T I O N

Whereas, Madison's Aging Together Team helps countless older Americans who enrich and strengthen our community; and

Whereas, Madison's Aging Together Team is committed to engaging and supporting older adults, their families, and caregivers; and

Whereas, we acknowledge the importance of taking part in activities that promote physical, mental, and emotional well-being—no matter your age; and

Whereas, Madison's Aging Together Team can enrich the lives of individuals of *every age* by:

- promoting home- and community-based services that support independent living;
- involving older adults in community planning, events, and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

Now therefore, I, R. Clay Jackson, Chairman of the Board of Supervisors of Madison County, Virginia do hereby proclaim May 2018 as

OLDER AMERICANS MONTH

We urge every resident to take time during this month to recognize older adults and the people who serve them as vital parts of our community.

Supervisor Hoffman moved that the Proclamation to denote May 2018 as "Older Americans Month" be approved as presented, seconded by Supervisor Foster. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

d. Graves' Mountain Lodge Fireworks Permit: The Deputy Clerk advised that language has been incorporated to the Fireworks Permit to request that all displays must end prior to 11:30 p.m. Graves' Mountain Lodge attains all certifications and must adhere to the Virginia Fire Code, due to the County not having an ordinance in place. In the past, prior Boards have signed off on the request. In closing, it was noted that Graves' Mountain Lodge is well aware of the standard protocol regarding fireworks displays.

Supervisor McGhee moved that the Board approve the Fireworks Permit request submitted by Graves' Mountain Lodge, seconded by Supervisor Hoffman. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

10. Information/Correspondence

a. Kemper-Fry-Strother/Sons of Confederate Veterans Invitation: The Deputy Clerk advised that the proposed event transpires annually; a representative from the Board of Supervisors is requested to attend the Memorial Day event. A member of the Board is usually placed on the program. In the past, the Chair(man) has been requested to attend unless another Board member desires to stand proxy.

After discussion, Supervisor Foster was designated as the Board representative to attend.

b. Status Report on Projects: The County Administrator provided a document to denote all open projects that focused on the following projects:

- Reassessment
- Recodification
- FY19 budget
- Vehicle Use Policy
- Social Services Building Lease Negotiations
- Emergency Services Coordinator
- Radio System Project
- Solid Waste Management Plan Update
- Water Supply Plan Update
- Updated Flood Plain Mapping & Ordinance
- Architectural & Engineering Consultant Procurement
- Criglersville Property

The Finance Director advised that the auditor that does the Cost Allocation Plan (for the County) has agreed to provide the County with services (at a cap) if some structure is provided regarding what type of tasks need to be done

Comments from the Board

- *Supervisor Hoffman: Questioned if the Board will need to schedule a workshop to discuss county buildings*

After discussion, it was suggested that the May 22, 2018 Regular Meeting (#2) be scheduled to start at 4:00 p.m. instead of 6:00 p.m.

The County Administrator was asked to provide input on the following:

- ✓ Number of employees at each location
- ✓ Square footage of each location
- ✓ Number of offices and conference rooms that are in place
- ✓ Amount of parking
- ✓ ADA compliance issues (i.e. bathrooms)
- ✓ HVAC & A/C

VDOT

Supervisor Weakley: Advised that VDOT has been asked about researching the placement of a flashing light at Rt. 29 and Fairgrounds Road (left turn)

CAD System

Brian Gordon, E911 Director, was present and advised that the new CAD system is going well. It was further advised that the 1st responders now have an app that provides 'real time' information of on-scene emergency incidents.

11. Public Comment

Chairman Jackson opened the floor for public comment. With no comments being brought forth, the public comment opportunity session was closed.

12. Closed Session

a. Emergency Services Coordinator (Personnel)

b. Discussion on Criglersville School Advisory Committee (Personnel)

c. Rappahannock-Rapidan Community Services Board (Personnel)

a. Closed Session: On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board convened in a closed session pursuant to Virginia Code Section 2.2-3711(A)(1) pertaining to:

a. Interviews of prospective candidates for employment as the Emergency Services Coordinator

b. Discussion on the appointment of members to the Criglersville School Advisory Committee, and

c. Discussion on the performance, disciplining or resignation of a specific Board-appointed member of the Rappahannock-Rapidan Community Services Board

Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

b. Motion to Reconvene in Open Session:

On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board reconvened in open session, with the following vote recorded: *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

c. Motion to Certify Compliance:

On motion of Supervisor Weakley, seconded by Supervisor McGhee, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(1) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded: *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

As a result of closed session, the following action was taken:


a. Emergency Services Coordinator

Supervisor McGhee moved that the Board authorize the County Administrator to hire John Sherer as a part-time Emergency Services Coordinator, seconded by Supervisor Foster. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*


b. Discussion on Criglersville School Advisory Committee




Supervisor McGhee moved that the Board appointing the following individuals to a Criglersville School Property Repurposing Advisory Committee for a term that would expire October 30, 2018, seconded by Supervisor Foster:

 Connie M. Aylor

 Daniel Crigler

 Charles M. Fisher

 Lynn Graves

-  Charlotte Hoffman
-  Clay Jackson
-  Maxwell Lacy

Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

c. Rappahannock-Rapidan Community Services Board

Supervisor Hoffman moved that the Chairman be authorized to send a letter to the Rappahannock-Rapidan Community Services Board member, Robert Legge, (directing him to provide a clear and succinct written response to a list of recurring concerns, including a specific and acceptable plan and timetable to resolve each, by May 21, 2018), seconded by Supervisor Weakley. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

13.

Adjourn

With no further action being required, Supervisor Weakley moved that the meeting be continued to 4:00 p.m. of May 22, 2018, seconded by Supervisor Foster. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Adopted on: May 22, 2018
Copies: Board of Supervisors, County Attorney & Constitutional Officers



**Agenda
Regular Meeting
Madison County Board of Supervisors
Tuesday, May 8, 2018 at 4:00 p.m.
County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727**



Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum / Adopt Agenda
2. Public Comment
3. Reports from Constitutional Officers
4. Reports from County Departments
5. Reports from Committees and Organizations

a. Foothills Housing Corporation.....Executive Director John Reid

6. Finance *Finance Director Costello*

- a. Claims*
- b. Supplemental Appropriation Requests*
 - i. Commonwealth Attorney Reimbursement Supplement*
- c. Quarterly Budget Performance Review*

7. Approval of Minutes: *April 24 and May 2, 2018 Meetings*

8. Old Business:

- a. Criglersville School Advisory Committee* *County Administrator Hobbs*
- b. Appointments to Piedmont Workforce Network* *Supervisor Foster*

9. New Business:

- a. County Vehicle Use & Driver Policy* *County Administrator Hobbs*
- b. Sale of Timber from Shelby Road Property* *County Administrator Hobbs*
- c. Proclamation - Older Americans Month (May 2018)* *Deputy Clerk Frye*
- d. Graves' Mountain Lodge Fireworks Permit* *County Administrator Hobbs*

10. Information/Correspondence

- a. Kemper-Fry-Strother/Sons of Confederate Veterans Invitation* *Deputy Clerk Frye*
- b. Status Report on Projects* *County Administrator Hobbs*

11. Public Comment

12. Closed Session

- a. Emergency Services Coordinator (Personnel)*
- b. Discussion on Criglersville School Advisory Committee (Personnel)*
- c. Rappahannock-Rapidan Community Services Board (Personnel)*

13. Adjourn